

CHADDS FORD TOWNSHIP

Minutes – Board of Supervisors

January 2, 2001

The Supervisors of Chadds Ford Township met in the Township Building on Tuesday, January 2, 2001. The meeting was called to order at 7:35 P.M. and the Pledge of Allegiance was recited. Present were Harvey L. Kliman, George M. Thorpe, and James E. Shipley. Also present were Solicitor Donald T. Petrosa and James C. Kelly of Kelly Engineers.

Organizational Meeting

Mr. Kliman announced the purpose of this meeting is to organize and nominate for various positions. This will be the only meeting of the Board of Supervisors this month.

Nominations

Mr. Thorpe nominated, Mr. Shipley seconded, and the Board approved Harvey L. Kliman for Chairman.

Mr. Kliman nominated, Mr. Shipley seconded, and the Board approved George M. Thorpe for Vice Chairman and Roadmaster. Roadmaster compensation to be \$58.33 per month. [See correction in February 2001 Minutes.]

Mr. Thorpe motioned, Mr. Shipley seconded, and the Board approved the following appointments:

- v To continue to employ the firm of Petrikin, Wellman, D'Amico, Brown and Petrosa, specifically Donald T. Petrosa, Esquire, as Township Solicitor. Retainer to be \$400.00 per month and \$125.00 per hour.
- v To continue to employ Robert L. Pinto, Esquire, (Levis & Pinto) as secondary counsel. (Fee letter attached)
- v To continue to employ James C. Kelly of Kelly Engineers as the Township's principal engineering company. (Fee Schedule attached)

- v Kelly Engineers; specifically Keith A. Leiberman and John Ibach, as the Township's Sewage Enforcement Officer.
- v To continue to employ the Brandywine Conservancy, or equivalent consultant, for land development review services (Fee Schedule attached).

Minutes – Board of Supervisors

Page 2

January 2, 2001

Nominations (cont.)

- v To continue with First Union Bank as the depository for the Township's funds.
- v Adoption of Resolution 2001-1, approving the appointment of Elko Advisory Group, LLC as the Township appointed auditors for 2001.
- v William Cloud as Emergency Coordinator.
- v Richard J. Jensen to remain as Building Inspector, Code Enforcement Officer, Zoning Officer, and Plumbing Inspector. Remuneration is (\$650.00) per month. [See correction in February 2001 Minutes] Other compensation shall remain the same as follows:

<u>Fees</u>	<u>% of Fees Collected</u>
Zoning	70%
Building	35%
Plumbing	60%
Grading	70%
Certificates of Occupancy (w/o permits)	70%
Certificates of Occupancy (w/permits)	35%

- v Gail G. Force as Secretary/Treasurer. Remuneration of (\$770.00) per month, plus an additional (\$60.00) per month for attendance of the Planning Commission meeting. [See correction in February 2001 Minutes]
- v Appointment of the firm of Fronfield & DeFuria, specifically Francis T. Sbandi,

Esquire, as Solicitor for the Zoning Hearing Board. The basis for fees is to remain the same.

- ✓ Sigurd S. Swensson as Vacancy Officer for a one-year term.
- ✓ James Murray to the Sewer Authority for a five-year term.
- ✓ John Spoehr to fill a vacancy on the Sewer Authority (four years remaining).
- ✓ James Reamer to the Planning Commission for a four-year term.
- ✓ Ed Wandersee to the Zoning Hearing Board for a three-year term.
- ✓ Gary Whelan to the HARB for a five-year term.
- ✓ Janet Ebert to the Open Space Committee for a three-year term.
- ✓ Lois Saunders to the Open Space Committee for a three-year term.
- ✓ Deborah Love D'Elia to the Open Space Committee for a three-year term.

Minutes – Board of Supervisors

Page 3

January 2, 2001

Nominations (cont.)

- ✓ Samantha Reiner to fill Ed Wandersee's position on the Open Space Committee (two year remaining).

Mr. Thorpe motioned, Mr. Shipley seconded, and the Board approved the establishment of the Treasurer's Bond in the amount of \$900,000.

Ordinance 64-N Hearing [Hearing to be held later in this meeting.]

PUBLIC COMMENT

Diane Pendleton complimented the Board on the Appointments.

Fred Reiter commented that he felt Martin Brothers had done a good snow removal job during the last storm.

STATE POLICE REPORT – no report

APPROVAL OF MINUTES

Mr. Thorpe motioned, Mr. Shipley seconded, and the Board approved the Minutes of both the December 6, 2000. Mr. Shipley motioned, Mr. Thorpe seconded, and the Board approved the December 28, 2001 Minutes.

Reports

Supervisors

See Chairman's Report (attached).

Mr. Shipley reported on a meeting with the Girl Scouts regarding the sale of their 188-acre Sunset Hill property, the most valuable piece of property owned by the Girl Scouts. There were representatives from Curt Weldon's office, Bob Kane from Senator Bell's office, two members from County Council, a Planning Director from the County, Brandywine Conservancy, Natural Lands Trust, the CEO and Directors of the Girl Scouts; and, from the Township, Harvey Kliman and Ed Wandersee. They discussed the unique features of this parcel that may be valuable to preserve. They were receptive to discussing disposition of the property that would be sensitive to open space interests or land use interests to preserve aspects of the property. They will be making a decision later this year. Apparently the decision to dispose of the property is irreversible; however, any decision would be balanced by how much they want to get for the property. They have been asked to keep the Township informed.

Minutes – Board of Supervisors

Page 4

January 2, 2001

Treasurer

Account balances as of December 31, 2000:

State Funds:

v Checking	\$284.99	
v Savings	<u>\$649.08</u>	\$ 934.07

Township Funds:

v Checking	\$107,530.08	
v Savings	<u>\$ 33,896.71</u>	\$141,426.79

Escrow Fund: \$448,257.96

Total \$590,618.82

Certificates of Deposit opened December 12, 2000 – 14 months @ 6.50%:

Township Fund	\$ 65,978.48
Building Fund	\$102,443.61
Sewer Fund	\$ 7,111.13
Land Trust	\$ 10,000.00

Money Market opened December 12, 2000 – 30 days @ 6.05%:

Township Fund \$ 50,085.31

Total Certificates of Deposit/Money Market \$235,618.53

TOTAL ALL FUNDS \$826,237.35

Receipts for the month of December 2000:

General Fund:

Transfer from DVRFA loan	\$1,841.50
District Court – fines	266.00
Treasurer of Delaware County – del. Tax	265.11
Treasurer of Delaware County – trans. Tax	18,217.00
Commonwealth of PA – State Police fines	1,491.27
PECO – permit	70.00

Minutes – Board of Supervisors

Page 5

January 2, 2001

Receipts – December 2000 (cont.):

Charles J. Weigold	444.11	
✓ \$308.14 – Twp.		
✓ \$ 76.35 – Fire		
✓ \$ 47.78 – Int. Twp.		
✓ \$ 11.84 – Int. Fire		
Richard J. Jensen	1,912.50	
✓ \$1,200.00 – BP		
✓ \$ 392.50 – ZP		
✓ \$ 40.00 – PP		
✓ \$ 200.00 – GP		
✓ \$ 80.00 – C/O		
Engineering Reimbursements	1,954.77	
✓ \$1,430.26 – Children’s Hospital		
✓ \$ 469.88 – Berlin		
✓ \$ 54.63 - Feinman		
Legal Reimbursements	1,312.50	
✓ \$1,312.50 – Children’s Hospital		
Sales of Maps & Ordinances	<u>122.65</u>	
 Total Receipts – General Fund		\$27,897.41
 Interest – General Fund	105.11	
Interest – State Fund	26.15	
Interest – Money Market	<u>85.31</u>	
 <u>Escrow Fund:</u>		
Joan K. Zantzinger – GP	700.00	
Whitney M. Maroney – GP	<u>700.00</u>	
 Total Receipts – Escrow Fund		<u>1,400.00</u>
 TOTAL RECEIPTS		<u>\$29,513.98</u>

Bills presented for payment January 2, 2001:

General Fund:

PECO	\$698.74
v \$422.36	
v \$146.00	
v \$130.38	
PECO	73.97
Verizon (phone and fax)	88.21
Petrikin, Wellman, Damico, Brown & Petrosa	5,728.00
Kelly Engineers	14,672.91
Chadds Ford Township Sewer Authority	2,333.33
Shurgard of Painter's Crossing	159.00
Ehrlich	57.00
Suburban Propane	675.00
Daily Times	1,469.52
Merit Court Reporting Services	169.50
Hanson Aggregates Pennsylvania, Inc.	875.53
Martin Brothers Excavation	2,870.00
Martin Brothers Excavation	3,150.00
H.A. Thomson Co.	1,390.00
PIRMA - liability insurance	8,107.23
Paul F. McLaughlin – SD escrow refund	750.00
Susie Ahlstrom	60.00
Harvey L. Kliman	125.00
George M. Thorpe	125.00
James E. Shipley	125.00
George M. Thorpe – Roadmaster	65.00
Reino's Print & Copy	268.27
Richard J. Jensen	2,683.12
Richard J. Jensen – postage	41.90
Richard J. Jensen – phone	39.77
Richard J. Jensen – Brandywine Dr. inspections	595.00
Gail G. Force	970.52
AOL	26.95

First Union Bank – safe deposit box	<u>29.50</u>	
Total Bills – General Fund		\$48,422.97

Minutes – Board of Supervisors
Page 7
January 2, 2001

Bills presented for payment January 2, 2001 (cont.):		
<u>Escrow Funds:</u>		
Paul F. McLaughlin – GP Lot #1	700.00	
Martin G. Smith – SD	<u>750.00</u>	
Total Bills – Escrow Fund		<u>1,450.00</u>
TOTAL BILLS		<u>\$49,872.97</u>

Mr. Shipley motioned, Mr. Thorpe seconded, and the Board approved the bills as presented.

Roadmaster

Mr. Thorpe presented his Roadmaster’s Report (see attached).

Diane Pendleton asked when the “Birmingham Township” signs at our borders will be replaced with “Chadds Ford Township” signs.

Planning Commission

Mr. Kliman explained that WaWa at Dilworthtown Road was the main item discussed at the December 27, 2000, meeting. Mr. Kliman asked Fred Reiter, a member of our Planning Commission, to relay to the other members of the Planning Commission that if this plan returns to the Planning Commission and there is another lengthy list of review comments from our Engineer, the Planning Commission is encouraged to deny the plan and the Applicant would need to start over and re-submit the Application.

Zoning Hearing Board

Diane Pendleton reported that the December 13, 2000, Zoning Hearing Board scheduled for both Applied Card Systems and Joseph A. Grace, III, was postponed. The Chadds Ford Auto hearing has been scheduled for January 25, 2001.

HARB – no report

Sewer Authority

Jim Murray reported that there had been an administrative oversight when plans were sent to DEP. Notice was forwarded to Delaware County, but not to the Township. This will delay the DEP approval. On December 17, 2000, there was a significant infiltration at the plant during heavy rain.

Minutes – Board of Supervisors

Page 8

January 2, 2001

Building Inspector/Code Enforcement Officer

Mr. Jensen reported the issuance of the following permits during the month: 1 temporary trailer, 3 temporary signs, 1 permanent wall sign, 2 permanent ground, 1 new home, 2 plumbing, and 3 decks. One Certificate of Occupancy for a new business and five Certificates for completed jobs were issued.

Mr. Jensen attended seven meetings/inspections on Brandywine Drive to correct erosion and sedimentation problems as well as construction problems.

Engineer

Henderson (Lot 12) – Plans and Agreements have been reviewed and appear to be satisfactory for Township signature.

Barnaby's of America – There has been no activity during this month.

Henderson (Lot 2) – No site improvements have been completed this month. Work has concentrated on the construction of the office building.

Shoppes of Painters Crossing – The parking lot has been paved.

Kid's First – The construction manager has requested occupancy before the building of the site improvements have been completed. The terms of the Developer's Agreement will be reviewed and this will be discussed with Mr. Jensen.

Keenan Auto Body – The building is under construction. The pavement base course has been installed and much of the site has been stabilized. Erosion and sedimentation controls are being adequately maintained.

Rizzo – Revised grading plan has not been received.

Brandywine Plaza – Progress of the site stabilization has been satisfactory to date.

2000 Road Program – Line stripping prices have been solicited for the newly paved portions of Heyburn and Oakland Roads. A verbal quote was received from Fas-Stripe Co. (\$1,050.00) and written quotes of \$.25/L.F., minimum charge per visit of \$500.00, (\$1,750.00) from Highway Markings, and \$1,925.00 for 3,500 L.F. from Stripe-A-Lot, Inc.

Minutes – Board of Supervisors

Page 9

January 2, 2001

Engineer (cont.)

Chester Creek Watershed Management Plan – Mr. Kelly received notice that the Chester Creek Watershed Planning Team has scheduled a WPAC/ Municipal Engineers' Committee meeting for January 25, 2001, at the Middletown Township Building at 1:30 P.M. Only a small portion of Chadds Ford Township is tributary to the Chester Creek watershed; however, since this is a Stormwater Management Plan being development pursuant to Act 167, the plan may have some effect on the application of stormwater management ordinances in this area. Mr. Kelly will report on

findings next month.

St. Cornelius Planning Module – Mr. Shipley motioned, Mr. Thorpe seconded, and the Board voted to adopt Resolution 2001-2 approving the submission of the St. Cornelius Planning Module to DEP.

SEO Activity Report - no report

Solicitor

Applied Card Systems – No representative of Applied Card System was present. At the December Board of Supervisors' Meeting, the Supervisors asked a representative to attend our next meeting to answer questions prior to the Zoning Hearing.

Fire Contract – Mr. Petrosa forwarded the Annual Fire Contract to Harry Dunn, the Solicitor for Concordville Fire Company for execution. The Board will execute a copy tonight.

Chadds Ford Automobile – Mr. Petrosa attended oral argument for Chadds Ford Automobile/Allure Appeal for denial of the Conditional Use Application before Judge Clouse. We are awaiting a decision from the Judge.

Auditor – The Board executed Resolution 2001-1 to appoint Elko Advisory Group, LLC to replace the elected Auditors for the year 2001.

Open Space Committee

Mr. Wandersee announced that the next meeting of the Open Space Committee is scheduled for January 11, 2001, at 7:00 P.M.

Property Planning Workgroup – Mr. Thorpe reported on the December 6, 2000 meeting. (Attached)

Minutes – Board of Supervisors

Page 10

January 2, 2001

Ordinance 64-N – Mr. Petrosa conducted the public hearing for discussion of this

proposed Zoning Ordinance and map, as advertised. The properties were posted by the Zoning Officer. This Ordinance amends our Zoning Ordinance to specifically delete Sections 12.61(b)(3)(iv) and (vii) and Sections 12.62(b)(3)(ii) and (iii) and eliminate sales of new motor vehicles and used motor vehicles as an accessory use by conditional use in the “B” Business District and the PBC District and only makes it a conditional use in the new zoning districts created. Mr. Thorpe motioned, Mr. Shipley seconded, and the Board approved Ordinance 64-N. Mr. Petrosa advised that this Ordinance will be enacted and in effect five days following this approval.

OLD BUSINESS – None

NEW BUSINESS

Joseph A. Grace, III – Michael Lyons, Esquire, representing both Joseph A. Grace, III, and his fiancée, Amy Martin, who have filed a Zoning Hearing Board Application for relief from the rear yard setback for a 12 foot by 30 foot addition to a property on Stationway Road. Architect Robert H. Linn displayed plans and renderings. There would be an increase in the existing non-conforming coverage from 15% to 18.4%. There is a 25% limit in the floodplain. This hearing has been scheduled for January 25, 2001. Mr. Grace will be connecting to public water. The Board chose not to send our Solicitor to the hearing to oppose this application.

Website – Mr. Kliman announced Charles Weigold has volunteered to develop a website for the Township. An agreement will be worked out with Mr. Weigold; i.e. control, liability, etc. and reviewed by our Solicitor. There will be discussions with Mr. Weigold regarding the contents of the website.

Hendrixson Letter of Credit – We have received notice that the bank does not intend to renew Hendrixson’s Letter of Credit which expires March 31, 2001. We will need to determine if there are improvements not yet completed; and, if that is the case, we will need to contact the bank.

Bergin – Robert Pinto, Esquire forwarded the plans and agreements for the Bergin application to be signed and held by Mr. Pinto. Mr. Kelly will review.

ADJOURNMENT - The meeting was adjourned at 10:15 P.M.

Gail G. Force, Secretary